

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

EVDOKIA NIKOLOVA,

Plaintiff,

v.

THE UNIVERSITY OF TEXAS AT
AUSTIN,

Defendant.

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1:19-CV-877-RP

ORDER

Before the Court is the report and recommendation from United States Magistrate Judge Susan Hightower concerning Defendant's partial motion to dismiss, (Dkt. 22), and all related briefing. (R. & R., Dkt. 28). Pursuant to 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Susan Hightower issued her report and recommendation on November 11, 2020. (*Id.*). As of the date of this order, no party has filed objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. When no objections are timely filed, a district court can review the magistrate's report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. 28), is **ADOPTED**. Defendant's partial motion to dismiss, (Dkt. 22), is **GRANTED IN PART** and **DENIED IN PART**. Specifically, Defendant motion to dismiss Plaintiff's claim under the Equal Pay Act is **DENIED**. Defendant's motion to dismiss Plaintiff's claims under the Texas Commission on Human Rights is **GRANTED**, and Plaintiff's claims under the Texas Commission on Human Rights are **DISMISSED WITH PREJUDICE**.

SIGNED on December 4, 2020.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE